

COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY CASE 08-008
ADMINISTRATIVE ACTION NO. 08-EBEC-0306

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

LEELA FLOWERS

RESPONDENT

FINAL ORDER

The Executive Branch Ethics Commission hereby adopts the Recommended Order of Failure to Participate of the Hearing Officer, as issued on January 6, 2009, as its Final Order.

NOTICE OF APPEAL RIGHTS

You have a right to appeal the Final Order of the agency pursuant to KRS 13B.140, which reads in part:

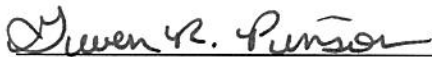
(1) All final orders of an agency shall be subject to a judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the Petition shall be served by the

Petitioner upon the agency and all parties of record. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The Petition shall be accompanied by a copy of the Final Order.

Pursuant to KRS 23A.010(4), "Such review [by the Circuit Court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court.

SO ORDERED, this 23rd day of January.

EXECUTIVE BRANCH ETHICS COMMISSION



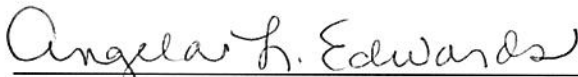
Gwen R. Pinson, Chair



Ronald L. Green, Vice-Chair



Jeanie Owen Miller, Member



Angela Edwards, Member



Nicholas Patrick Cambron, Member

DISTRIBUTION

By hand delivery, for filing on January 23, 2009:

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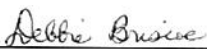
and

John R. Steffen
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Executive Branch Ethics Commission
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By first class mail, postage prepaid:

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Hon. Susan S. Durant
Hearing Officer
Administrative Hearings Branch
Office of the Attorney General
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